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11 *Attorneys for Defendants,*

12 *Mortgage Electronic Registration Systems, Inc.,*

13 *OneWest Bank, FSB and Deutsche Bank National Trust Company, as trustee of the IndyMac*

14 *Indx Mortgage Trust 2006-AR4, Mortgage Pass Through Certificates, Series 2006-AR4*

15 UNITED STATES DISTRICT COURT

16 DISTRICT OF NEVADA

17 LYNN FERNANDO

18 Plaintiff,

19 vs.

20 MORTGAGE IT; MORTGAGE  
21 ELECTRONIC REGISTRATION SYSEMS,  
22 INC.; FIRST AMERICAN TITLE COMPANY  
23 OF NEVADA, MTDS, INC. dba MERIDIAN  
24 TRUST DEED SERVICE; DEUTSCHE  
25 NATIONAL TRUST COMPANY, as trustee of  
26 the INDYMAC INDX MORTGAGE TRUST  
27 2006-AR4, MORTGAGE PASS THROUGH  
28 CERTIFICATES, SERIES 2006-AR4 under the  
POOLING AND SERVICING AGREEMENT  
dated March 1, 2006 by ONEWEST BANK,  
FSB, as attorney in fact; DOES I through X and  
ROES CORPORATION I through X,

Defendants.

Case No.: 2:11-cv-01352-JCM-GWF

**ORDER GRANTING DEFENDANTS  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.,  
ONEWEST BANK, FSB and DEUTSCHE  
BANK NATIONAL TRUST COMPANY,  
as trustee of the INDYMAC INDX  
MORTGAGE TRUST 2006-AR4,  
MORTGAGE PASS THROUGH  
CERTIFICATES, SERIES 2006-AR4 EX  
PARTE MOTION TO EXPUNGE LIS  
PENDENS**

Defendant, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.  
("MERS"), ONEWEST BANK, FSB and DEUTSCHE BANK NATIONAL TRUST

1 COMPANY, as trustee of the INDYMAC INDX MORTGAGE TRUST 2006-AR4,  
2 MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2006-AR4 ("DEUTSCHE")  
3 (herein referred to as "Defendants") move to Expunge the Lis Pendens (and Notice of Lis  
4 Pendens) in this matter as the Complaint on which it is based was dismissed pursuant to  
5 Federal Rules of Civil Procedure 8(a), 9(b), and 12(b) for failure to state a claim upon which  
6 relief can be granted(Docket No. 53).

7 Although Plaintiff's Complaint was dismissed (Docket No. 53), pending before the  
8 Court is Defendant's, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE  
9 OF THE INDYMAC INDX MORTGAGE LOAN TRUST 2004-AR8, MORTGAGE PASS-  
10 THROUGH CERTIFICATES, SERIES 2004-AR8 UNDER THE POOLING AND SERVICING  
11 AGREEMENT DATED SEPTEMBER 1, 2004 ("DEUTSCHE") (herein referred to as  
12 "Defendant") Ex Parte Motion to Expunge Lis Pendens. The Court having reviewed the  
13 pleadings and papers on file, the Court being fully advised in the premises, and good cause  
14 appearing therefore:

15 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that any Pendency of Action  
16 or Lis Pendens recorded on October 12, 2011 as 201110120002123 by the Plaintiff in the  
17 Official Records of Clark County Nevada in association with this action on the subject property  
18 at 4234 Thunder Twice Street, Las Vegas, Nevada 89129 APN 138-03-310-019; legally  
19 described as:

20 LOT 234 IN BLOCK A OF MAYFIELD UNIT 4A AS SHOWN BY MAP THEREOF  
21 ON FILE IN BOOK 109 OF PLATS, PAGE 29, IN THE OFFICE OF THE COUNTY  
22 RECORDER OF CLARK COUNTY, NEVADA .  
23

24 pursuant to NRS 14.015 and it shall have from this day forward have no force or effect.

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DATED May 9, 2012.

James C. Mahan  
UNITED STATES DISTRICT COURT JUDGE

Respectfully Submitted By:

WRIGHT, FINLAY & ZAK, LLP

Donna M. Osborn, Esq.  
Nevada Bar No. 6527  
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Las Vegas, NV 89148  
*Attorneys for Defendants,  
Mortgage Electronic Registration Systems, Inc.,  
OneWest Bank, FSB and Deutsche Bank National  
Trust Company, as trustee of the IndyMac Indx  
Trust 2006-AR4, Mortgage Pass Through  
Certificates, Series 2006-AR4*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of WRIGHT, FINLAY & ZAK, LLP; that service of the foregoing **ORDER GRANTING DEFENDANTS MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ONEWEST BANK, FSB and DEUTSCHE BANK NATIONAL TRUST COMPANY, as trustee of the INDYMAC INDEXED MORTGAGE TRUST 2006-AR4, MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2006-AR4** EX PARTE MOTION TO EXPUNGE LIS PENDENS was made on the 2<sup>nd</sup> day of May, 2012, by electronic service to all parties and counsel as identified on the Court-generated Notice of Electronic Filing.



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An Employee of WRIGHT, FINLAY & ZAK, LLP